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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,243	10/25/2004	Kiyotaka Uchimoto	4035-0169PUS1	8938
2292 7590 06/23/2010 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER LUDWIG, MATTHEW J				
ART UNIT 2178		PAPER NUMBER		
NOTIFICATION DATE 06/23/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/500,243

Applicant(s)

UCHIMOTO ET AL.

Examiner

MATTHEW J. LUDWIG

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-7 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-7 and 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the Request for Continued Examination received 5/4/2010.
2. Claims 1, 4-7, 10-15 are pending in the application. Claims 1 and 7 are independent claims.
3. Claims 1, 4-7, and 10-15, rejected under 35 U.S.C. 102(e) as being anticipated by Wakita have been withdrawn pursuant to applicant's amendments.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1, 4-7, 10-15 are rejected under 35 U.S.C. 102(e) as being anticipated by**
Weise USPN 7,184,950 filed 7/8/2005.

In reference to independent claim 1, Weise teaches:

'an input step using input means for inputting only parts of the sentence wherein the natural sentence is characteristic of a style or an expression,

an extracting step using extracting means for extracting candidate sentences parts or phrases, which includes an inputted part of the sentence, from a database, and

a text generation step using text generation means for generating the natural sentence based on the inputted parts of the sentence and the extracted candidate sentence parts or phrases by combining the extracted candidate sentence parts or phrases, and

wherein parser means morphologically analyzes and parses the extracted at least one sentence part or phrase to obtain a syntactic structure of the at least one candidate sentence part or phrase by determining the syntactic probability of the appropriateness of the order of candidate sentence parts or phrases by applying a statistical technique using a syntactic model, thereby generating a sentence having a maximum probability of being a natural sentence which is characteristic of the style or expression'.

The reference to Weise provides a means of inputting a string of text and looks for grammar mistake through the use of a set of grammar rules. The system of Weise teaches a method for creating alternatives including the original string of text and storing those instances prior to parsing said content. The reference provides a means of further analyzing content through a parsing means which allows for the content to be put through a stochastic parser as well as a syntactic model for examining the content. As presently claimed, the reference provides a means for inputting, extracting, and text generation through steps that create alternative sentences (as can be seen in figures 7 & 8 and columns 9-14) and parse the alternative and original text to develop a natural sentence. The limitations found within the claim include a step for 'extracting candidate sentence parts or phrases, which includes an inputted part of the sentence'. This limitation is being interpreted as any part of the string input. There is no antecedent basis for 'an inputted part of the sentence' and therefore, the text verb, noun, or any part of the text input would provide sufficient evidence of a part of the sentence. Also, the phrase found in the third

limitation which reads, 'by combining the extracted candidate sentence parts or phrases', seems to leave out what the extracted candidate sentence parts or phrases are combined with'. This leaves the claim open to being interpreted as the alternative grammar parts or phrases being combined with the original text string as found in the reference to Weise.

In reference to dependent claim 4, Weise teaches:

a means of utilizing a set of grammar rules as well as explicit parsing method to develop a natural sentence based upon word models. See columns 9-14.

In reference to dependent claim 5, Weise teaches:

The word order model set up in dependent claim 5 is determined through a similar feature of the reference to Weise which parses each alternative and original text string to determine a parse tree and syntactic structure based upon probability measurements. See columns 13-16. In reference to dependent claim 6, Weise teaches:

The grammar rules found in the database provide a sufficient suggestion of having a database containing characteristic text patterns. See pages 7 and 8.

In reference to dependent claim 7, 10-14, the claims recite similar language for carrying out text generation as those found in claims 1, 4-6. Therefore, the claims are rejected under similar rationale.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 4-7, and 10-15 have been considered but are moot in view of the new ground(s) of rejection. Applicant amended the claims which required the examiner to withdraw the prior art rejected.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW J. LUDWIG whose telephone number is (571)272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen S. Hong/
Supervisory Patent Examiner, Art Unit
2178

ML